

103

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

CRM M - 32764-2023
Date of decision: 12.07.2023*Jagmeet Singh alias Gaggi**.....Petitioner**Versus**State of Punjab**.....Respondent*

Coram: Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. Imaan Singh Khara, Advocate
for the petitioner

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Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory bail to the petitioner in case FIR No. 34 dated 29.04.2023, registered under Sections 324, 323, 148, 149 of the Indian Penal Code (Sections 325 and 326 IPC added lateron vide DDR No. 27 dated 12.05.2023) at Police Station Nandgarh, District Bathinda.

It is submitted by counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in any other criminal case. Otherwise also, as per the interim order passed by the Court below, he has already joined the investigation. Not only that, even the alleged weapon of offence has already been got recovered by the petitioner. The Court below has wrongly mentioned in the order that the petitioner has been declared as proclaimed offender. In fact, the petitioner is not required in any other investigation or recovery. Therefore, the

2023:PHHC:086516

petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General Punjab accepts the notice on behalf of the respondent - State. Mr. Pratap Singh Gill, Advocate, who is present in the Court, has filed his memorandum of appearance on behalf of the complainant – respondent No. 2.

Counsel for the State, on instructions from HC Kulveer Singh, P S Nandgarh, District Bathinda, has submitted that the petitioner is involved in heinous crime of causing grievous injuries to the complainant, therefore, he does not deserve any concession of anticipatory bail. However, it is not disputed by the State counsel that the petitioner has already joined investigation; and has also got recovered the alleged weapon of offence. It is also not disputed that the petitioner is not declared as proclaimed offender.

In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail, subject to his furnishing personal bonds/surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

(Rajbir Sehrawat)
Judge

July 12, 2023

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Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No